

INITIATIVE FOR SOFTWARE CHOICE

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Governor Mitt Romney
Office of the Governor
Room 360
Boston, MA 02133

September 30, 2003

Re: Massachusetts Open Source Mandate

Dear Governor Romney:

The Initiative for Software Choice (ISC, www.softwarechoice.org) – a global coalition with over 260 software companies and associations – is writing to express our concern that the open source software mandate recently announced by Secretary of Administration and Finance, Eric Kriss would incalculably harm Massachusetts public administration, its citizens, and its information technology (IT) industry and workers because it will eviscerate software choice presently available to the Commonwealth of Massachusetts. As a result, the ISC – which is managed by the Computing Technology Industry Association (CompTIA, which represents 13,350 member companies including over 175 IT companies in Massachusetts) – requests a meeting with your or your designee at your earliest convenience so that we may learn more about this policy and provide our input.

The ISC strongly supports the development and adoption of all kinds of software: be it open source software (OSS), hybrid or proprietary. For this reason, we believe that mandatory government regulations, which give preference to certain kinds of software, weaken the overall software marketplace, biasing the choice of viable software options available to public authorities. Only when all software options are available can the specific needs of each IT project be met, driven by a flexible range of factors such as cost, reliability, security, functionality and availability.

The ISC is aware of no barriers to unfettered software choice in Massachusetts. In fact, at this present time, the Commonwealth of Massachusetts can rightfully choose any type of software/platform it wants for its IT needs. As such, no legal obstacles stop its public administrators from going into the market and getting the best solution for a given challenge.

The software market constantly readjusts the landscape, bringing the best to the fore. This occurs agnostically, regardless of software development model. We trust that where Massachusetts administrators see the best products/values for the tasks at hand, they make the appropriate choices. Administrators should not care if their choices are OSS, hybrid, or proprietary in nature – development model guarantees nothing. They should care only that the widest possible software choices remain available in order to most flexibly adapt to the evolution of technology and the demands of their constituents.

The Massachusetts open source mandate threatens many of the 135,000 jobs in the \$11 billion Massachusetts IT industry. IT workers in the proprietary software sector operate in a high level, mature market based on existing standards and processes. This radical shift in policy, especially without consulting the more than 3000 tech

companies in the commonwealth that could be affected by the mandate, is irregular and unfair.

If the open source mandate is fully implemented, the ISC believes that it will have a number of serious practical repercussions, such as:

- Disproportionately impacting Massachusetts small software companies and workers, which primarily develop and sell proprietary software solutions;
- Aside from harming small software companies, this policy would harm other commercial IT companies and workers in Massachusetts, including companies that resell software, retailers, and Application Service Providers, by limiting their ability to recommend the best solutions to both their government and private-sector clients;
- Inflexibly locking-in OSS offerings without fair consideration to the merits of other competing options;
- Lost tax revenue that the commonwealth currently realizes from local commercial technology companies who will no longer be able to sell their products to the commonwealth;
- Wasting taxpayer dollars because fewer competitive options will be available; and reducing the efficacy of Massachusetts' public administration for its constituents because fewer competitive solutions will be available.

This mandate has been developed with virtually no input from the IT industry. The industry is alarmed by the closed and secretive process surrounding the development and subsequent implementation of this policy.

Once again, we welcome the opportunity to meet with you or your designee at your earliest convenience to further discuss our concerns.

Yours sincerely,

Bob Kramer
Executive Director – ISC

Cc: Senate President Robert E. Travaglini
Speaker Thomas M. Finneran
Senator Brian P. Lees
Senator Therese Murray
Senator Linda J. Melconian
Representative Bradley H. Jones Jr.
Representative John H. Rogers
Representative Brian S. Dempsey